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FROM THE U.S. MISSION TO THE UN AGENCIES IN ROME

L/PIL FOR HAL BURMAN
IO/S FOR LISA JACOBSON AND IO/EDA FOR SHARON KOTOK
DRL FOR ROBERT JACKSON
NEA/RA
USAID FOR AA/ANE KUNDER, AA/DCHA WINTER, D/OTI TAYLOR
DAA/DCHA ROGERS, DCHA/GG/ROL GARZON AND GC/GARDNER

E.O. 12958: N/A

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SUBJECT: INTERNATIONAL DEVELOPMENT LAW ORGANIZATION:
POTENTIAL ROLE IN ISLAMIC JUDICIAL REFORM

1. Summary: Post would like to bring to Department's attention the International Development Law Organization (IDLO), a Rome-based intergovernmental organization founded twenty years ago by former USAID employees. Through training and technical assistance to the judicial sector of developing nations, the organization promotes the rule of law and good governance and has particular expertise in Islamic jurisprudence. Long on the radar and funding screen of USAID, we believe the organization offers much potential for assistance of USG efforts to bring modern judicial practices to high priority U.S. efforts such as Afghanistan, Iraq and Libya. End summary.

2. The International Development Law Organization is an intergovernmental organization comprised of 17 member states and of which the United States is a founding member. IDLO provides legal training and technical assistance to developing countries. Begun 20 years ago by former USAID employees and funded entirely through voluntary contributions, IDLO through its varied programs focuses on the promotion of the rule of law and good governance. Importantly, it possesses particular expertise in Islamic legal traditions. Its International Advisory Council includes Dr. Abdel Latif Al Hamad, chairman and CEO of the Arab Fund and founder of the Kuwait Development Fund.

3. When the Organization was established in 1983, the development community had not really focused on the critical role of law in the development process. Now the rule of law and good governance has become central to the international development agenda. The IDLO mandate provides for close cooperation with other international organizations, especially those in the United Nations system (leading most recently to a partnership agreement with the UNDP). The mandate also provides the basis for IDLO to target its work in pursuance of the UN Millennium Development Goals.

4. Effective, sustainable development cannot take place without improvements to maintain the legal and judicial systems of developing nations. This has proved a difficult task for development and USAID organizations, particularly in Islamic countries. That is where IDLO comes in. In Afghanistan, for instance, the key to IDLO's success there is the acceptability of legal experts from moderate Muslim countries like Tunisia, Morocco and Egypt to help the Afghans see how Islam and international standards can co-exist. Also critical is the comfort that IDLO can engender by showing a funding base that includes the Kuwait Fund, Arab and OPEC Funds.

5. Embassy Muscat is sponsoring an IDLO Rule of Law Project in Oman that takes advantage of this unique combination. If successful, IDLO could provide similar assistance in Iraq and other countries in the region. Further, IDLO's Director-General, William T. Loris, an AmCit and former USAID lawyer, has described to post their plans to establish a regional office in Cairo to spearhead and expand its work in the Arabic language throughout the region.

6. USAID's Rule of Law division has maintained an ongoing PIO grant with IDLO since 1997. USAID missions (and Embassies) around the world have obligated \$6.7 million to IDLO since that time and the grant is active through FY 2007. Often, USAID uses IDLO to work in non-presence countries such as Oman, Mongolia, Lesotho and Swaziland. USAID decided not to fund IDLO in Afghanistan, while the Italian government (responsible for rebuilding the Afghan judicial sector) gave IDLO \$1.2 million for its Afghanistan project. Thus far, IDLO has been unsuccessful in securing voluntary contributions for its core funding from State's foreign operations account,

managed in IO/S.

17. Considering the long-term stakes of our current near east initiatives, the resources we have spent and expertise IDLO brings to the table, the organization deserves the attention of the Department in our ongoing efforts to promote rule of law and good governance. It is certainly a worthy candidate for voluntary contributions through the foreign ops account (perhaps beginning through a request from L, IO/EDA or DRL).

18. MINIMIZE CONSIDERED.
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